

**§ 1704.2 Definitions.**

For purposes of this part:

*Control* means the authority of the agency that originates information, or its successor in function, to regulate access to the information. (32 CFR 2001.92)

*Day* means U.S. Federal Government working day, which excludes Saturdays, Sundays, and federal holidays. Three (3) days may be added to any time limit imposed on a requester by this part if responding by U.S. domestic mail; ten (10) days may be added if responding by international mail.

*D/IMD* means the Director of the Information Management Division and the leader of any successor organization, who serves as the ODNI's manager of the information review and release program.

*Federal agency* means any *Executive agency*, as defined in 5 U.S.C. 105; any *Military department*, as defined in 5 U.S.C. 102; and any other entity within the executive branch that comes into the possession of classified information.

*Information* means any knowledge that can be communicated or documentary material, regardless of its physical form, that is owned by, produced by or for, or under the control of the U.S. Government; it does not include information originated by the incumbent President, White House Staff, appointed committees, commissions or boards, or any entities within the Executive Office that solely advise and assist the incumbent President.

*Interested party* means any official in the executive, military, congressional, or judicial branches of government, or a U.S. Government contractor who, at the sole discretion of the ODNI, has a subject matter or other interest in the documents or information at issue.

*NARA* means the National Archives and Records Administration.

*ODNI* means the Office of the Director of National Intelligence.

*Order* means Executive Order 13526, "Classified National Security Information" (December 29, 2009) or successor Orders.

*Originating element* means the element that created the information at issue.

*Presidential libraries* means the libraries or collection authorities established under the Presidential Libraries Act (44 U.S.C. 2112) and similar institutions or authorities as may be established in the future.

*Referral* means coordination with or transfer of action to an interested party.

*Requester* means any person or organization submitting an MDR request.

**§ 1704.3 Contact information.**

For general information on the regulation in this part or to submit a request for a MDR, please direct your communication by mail to the Office of the Director of National Intelligence, Director of the Information Management Division, Washington, DC 20511; by facsimile to (703) 874-8910; or by email to [DNI-FOIA@dni.gov](mailto:DNI-FOIA@dni.gov). For general information on the ODNI MDR program or status information on pending MDR cases, call (703) 874-8500.

**§ 1704.4 MDR program feedback.**

The ODNI welcomes suggestions for improving the administration of our MDR program in accordance with Executive Order 13526. Suggestions should identify the specific purpose and the items for consideration. The ODNI will respond to all communications and take such actions as determined feasible and appropriate.

**§ 1704.5 Guidance.**

Address all communications to the point of contact as specified in § 1704.3. Clearly describe, list, or label said communication as an MDR Request.

**§ 1704.6 Exceptions.**

MDR requests will not be accepted from a foreign government entity or any representative thereof. MDR requests will not be accepted for documents required to be submitted for pre-publication review or other administrative process pursuant to an approved nondisclosure agreement; for information that is the subject of pending litigation; nor for any document or material containing information from within an operational file exempted from search and review, publication, and disclosure under the FOIA. If the